

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RUSTY ELLISON,

Defendant.

Case No.: 2:23-cr-00084-GMN-NJK-1

ORDER

Pending before the Court is the Motion for Early Termination of Supervised Release, (ECF No. 8), filed by Defendant Rusty Ellison (“Defendant”). The Government filed a Notice of Non-Opposition, (ECF No. 10).

Also pending before the Court are Defendant’s Motion for Appointment of Counsel,¹ (ECF No. 5), and Motion to Seal Financial Affidavit,² (ECF No. 6).

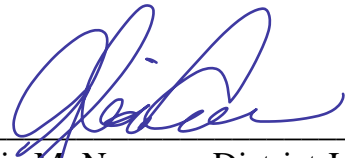
The Court has considered the relevant factors and finds that Defendant meets the criteria for early termination of supervised release. Accordingly, **IT IS HEREBY ORDERED** that

¹ Assistant Federal Public Defender Heida A. Ojeda filed Defendant’s Motion for Early Termination of Supervised Release the same day she filed Defendant’s Motion for Appointment of Counsel “in anticipation [] she would be appointed counsel in this matter.” *United States v. Eastlick*, Nos. 2:18-cr-00286, 2:18-cr-00288, 2021 WL 2459468, at *2 (D. Idaho June 15, 2021). “Thus, she is appointed as counsel *nunc pro tunc* to the date she filed the Motion.” *United States v. Eastlick*, Nos. 2:18-cr-00286, 2:18-cr-00288, 2021 WL 2459468, at *2 (D. Idaho June 15, 2021).

² The Judicial Conference of the United States promulgated its current Policy on Privacy and Public Access to Electronic Case Files in 2008. The policy provides, in part, that financial affidavits filed in seeking representation pursuant to the Criminal Justice Act “shall not be included in the public case file and should not be made available to the public at the courthouse or via remote electronic access[.]” Privacy Policy for Electronic Case Files, Judicial Conference Policy on Privacy and Public Access to Electronic Case Files, (last visited August 19, 2023), <https://www.uscourts.gov/rules-policies/judiciary-policies/privacy-policy-electronic-case-files>. The Court finds good cause to seal Defendant’s Financial Affidavit, as it is a document restricted from public view or access pursuant to the Policy. *See United States v. Capri*, No. 20-cr-00096, 2022 WL 1128934, at *1 (D. Ariz. Apr. 15, 2022) (sealing a defendant’s financial affidavit filed in seeking representation pursuant to the Criminal Justice Act).

1 Defendant's Motion for Early Termination of Supervised Release, (ECF No. 8), is **GRANTED**.
2 **IT IS FURTHER ORDERED** that Defendant's Motion for Appointment of Counsel, (ECF
3 No. 6), and Motion to Seal Financial Affidavit, (ECF No. 6) are **GRANTED**.
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6 **DATED** this 21 day of September, 2023.
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10 Gloria M. Navarro, District Judge
11 United States District Court
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